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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/463,271

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ANDRE KAUP

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11/28/2005

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EXAMINER

CARTER, AARON W

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/463,271

Applicant(s)

KAUP, ANDRE

Examiner

Aaron W. Carter

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/31/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 31, 2005 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claim 11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,870,754 to Dimitrova et al. ("Dimitrova") in view of USPN 5,767,893 to Chen et al. ("Chen").

As to claim 11, Dimitrova discloses a method for storing search features of an image sequence, said method comprising the steps of:

Determining an image scene of said image sequence via MPEG intra-image, wherein the intra-image initiates the image scene (column 10, lines 34-48);

Determining said search features for an image scene of said image sequence (column 11, lines 9-16 or column 12, lines 20-29, wherein the DC coefficient and the motion vectors signatures correspond to the search features determined);

Storing the search features for an image scene as an accessible list (column 9, lines 19-51, wherein signatures are stored in the meta database).

Dimitrova does not disclose expressly prefixing the search features for an image scene to said intra-image. Dimitrova does disclose that the signatures and the image sequence maybe stored locally, wherein it is obvious that they maybe stored in the same memory and may obviously be stored before the MPEG image sequence data (column 10, lines 1-9).

However, Chen discloses a method for storing search features of an image sequence said method comprising:

Prefixing the search features for an image scene to an MPEG intra-image (column 6, lines 6-19, wherein the annotation signal corresponds to search features and by multiplexing it with the original video stream using MPEG compression, it can then be said that the search features are prefixed to the intra-images of the image sequence and therefore the image scene);  
and

Dimitrova & Chen are combinable because they are from the same art of image processing, specifically image/video indexing and retrieval.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to prefix the search features of the image scene to the intra-image, as taught Chen, in the method for storing search features of an image sequence as disclosed by Dimitrova.

The suggestion/motivation for doing so would have been to provide both the image sequence and the search features as a combination as opposed to providing them as separate signals (column 6, lines 6-19).

Therefore, it would have been obvious to combine Dimitrova with Chen to obtain the invention as specified in claim 11.

As to claim 12, the combination of Dimitrova and Chen discloses the method as claimed in claim 11, wherein said search features are at least one of audio data and video data of said of said image (Dimitrova, column 11, lines 9-16 and column 12, lines 20-29, wherein DC coefficients and motion vectors correspond to video data).

As to claim 13, the combination of Dimitrova and Chen discloses the method as claimed in claim 11, wherein said search features comprise a reference to an image within said image sequence for assisting in accessing said image within said image sequence (Dimitrova, column 9, lines 47-48).

As to claim 14, please refer to the rejection of claim 11 above.

As to claim 15, please refer to the rejection of claim 11 above.

As to claim 16, please refer to the rejection of claim 11 above.

As to claim 18, the combination of Dimitrova and Chen discloses the method as claimed in claim 11, wherein each image scene of said image sequence is stored in a database (column 10, lines 1-9)

As to claim 19, the combination of Dimitrova and Chen discloses the method as claimed in claim 11, wherein separate search features for several objects that are contained in said image sequence according to image coding standards are respectively stored together with said image sequence (Dimitrova, Fig. 1, element 108, wherein signatures are formed for each key frame).

As to claim 20, the combination of Dimitrova and Chen discloses the method as claimed in claim 11, wherein said search features can be unambiguously identified by a predeterminable start code (Dimitrova, column 9, lines 44-51).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

“Content-Based Video Indexing and Retrieval” to Zhang et al. discloses a method for storing image search features.

USPN 6,741,655 to Chang et al. discloses a method for storing image search features.

USPN 6,611,628 to Sekiguchi et al. discloses a method for storing image search features.

USPN 5,983,176 to Hoffert et al. discloses a method for storing image search features.

USPN 5,963,203 to Goldberg et al. discloses a method for storing image search features.

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USPN 6,735,253 to Chang et al. discloses a method for storing image search features.

USPN 5,708,767 to Yeo et al. discloses a method for storing image search features.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron W. Carter whose telephone number is (571) 272-7445. The examiner can normally be reached on 8am - 4:30 am (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**KANJIBHAI PATEL**  
**PRIMARY EXAMINER**